

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

FILED  
CLERK OF COURT

2004 OCT 29 P 12:58

U.S. DISTRICT COURT  
DISTRICT OF MASS

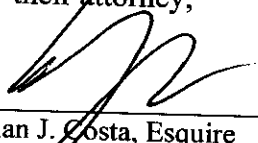
Bay Mortgage Services, Inc. )  
and Peter J. Lucido, )  
Plaintiffs )  
v. )  
USBancorp, )  
Defendant )

CIVIL CASE NO. 04-CV-12201 DPW

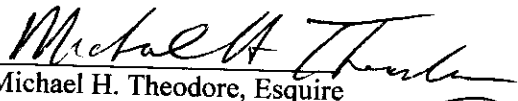
PLAINTIFF'S MOTION TO CONTINUE SCHEDULING CONFERENCE

NOW COMES the Plaintiff in the above captioned matter and hereby moves this Honorable Court to continue the date for the initial Scheduling Conference currently scheduled for November 29, 2004 at 2:30 pm. As grounds therefore, Plaintiff's counsel is currently scheduled to commence a several day jury trial in Plymouth Superior Court, case number 02-01034B, on November 29, 2004.

Respectfully Submitted  
THE PLAINTIFFS,  
Bay Mortgage Services, Inc.  
and Peter J. Lucido,  
By their attorney,

  
Allan J. Costa, Esquire  
BBO #544015  
Trifletti & Costa, P.C.  
124 Long Pond Road  
Plymouth, MA 02360  
(508) 746-1464

Assented to:  
THE DEFENDANT,  
USBancorp  
By Its Attorney,

  
Michael H. Theodore, Esquire  
BBO #565098  
Cohn & Dussi, LLC  
25 Burlington Mall Road, 6<sup>th</sup> Floor  
Burlington, MA 01803-4158  
(508) 494-0200

Dated: October 26, 2004